

REMARKS

Claims 68-97, 101 and 103-111 are pending in this application. By this amendment, claims 68, 82-86, 90-91, 101, 103 and 104 are amended; claims 98-100 and 102 are canceled without prejudice or disclaimer to the subject matter set forth therein; and claims 105-111 are added.

Reconsideration and allowance in view of the following remarks are respectfully requested. No new matter has been added by this amendment. Support for the amendments to the claims may be found, for example, on page 4, lines 1-9; page 6, line 22 - page 8, line 5; page 10; page 11, line 11 - page 12, line 2; page 13, lines 10-28; page 15 and page 17, for example.

As described herein, various features are hereby added to the claims to further distinguish the claimed invention from the applied art. Such features are variously set forth in the claims above.

The August 11, 2006 Telephone Conference

Applicant confirms the telephone conference of August 11, 2006. As set forth in the Interview Summary Sheet mailed August 15, 2006, in the conference, Applicant asserted that Applicant had become aware of the Office Action via access to PAIR. Applicant requested remailing of the Office Action, with the period being restarted. Applicant respectfully submits that it appears the May 19, 2006 mailed Office Action may have indeed been mailed back to the U.S. Patent and Trademark Office, and not to Applicant.

A. The Office Action's Assertions Regarding Official Notice

The Office Action asserts in the Office Action, page 2, that Applicant's attempt at traversing the Official Noticed facts is inadequate and refers to Applicant's remarks filed March 6, 2006 (Paragraph 2, Page 15).

However, Applicant respectfully submits that such assertion in the present Office Action is misplaced vis-à-vis the comments set forth in Applicant's March 6, 2006 Response. That is, the comments in Applicant's Response went to that Applicant has in no way admitted or acquiesced to the "official notice" assertions set forth in the prior Office Action. Rather, Applicant simply based the traversal of the art rejection on different grounds.

B. The Information Disclosure Statement (IDS)

The Office Action asserts various deficiencies with the information disclosure statement (IDS) filed November 16, 2005. In particular, the Office Action asserts that some of the references were incomplete, illegible, or that no translation was provided. The Office Action further asserts that the IDS included grammatical and/or typographical errors. In response, Applicant respectfully asserts that the art that was properly submitted and listed on the IDS should indeed be considered.

Further, the Office Action asserts that the vast majority of the art is not relevant to the claimed invention. Applicant notes that such art was identified by Applicant, utilizing a database of references, as being related to the subject matter of the present invention. The Office Action asserts the "applicant is invited to specifically point-out those references that may be pertinent to the claimed invention." However, Applicant respectfully submits that such standard, as set forth in the Action, appears to diverge from the "material to patentability" standard of 37 C.F.R. 1.56.

Further, Applicant respectfully requests clarification as to the basis for non-consideration of "all" the art. That is, the basis in the Office Action appears to be that some of the art was not relevant, and as a result, none of the art was considered.

Applicant proposes that a telephone conference between Applicant's representative and the Examiner would be helpful in resolving the issues relating to the IDS.

C. The Objection to the Drawings

The Office Action asserts that new corrected drawings in compliance with 37 C.F.R. 1.121 (d) are required in this application because Figures 1-16 are illegible and/or informal.

Applicant herewith provides revised drawings. The Examiner is requested to review and approve such revised drawings.

D. The Objection to the Claims

The Office Action objects to claims 99 and 100 asserting that the claims are identical. Applicant notes that the last clause of such claims set forth different features. However, the objection to the claims is obviated by the cancellation of claims 99 and 100.

E. The Rejection Based on the Primavera Art under 35 U.S.C. §102

In the Office Action, claims 68-87,90-91,93-95 and 97 are rejected under 35 U.S.C. 102(e) as being anticipated by Primavera System, Inc.'s Primavera Expedition system/product as disclosed in at least the following Primavera Expedition Version 6.0 User's Guide (1998). Applicant traverses such rejection.

The Action asserts that regarding Claim 68 Primavera Expedition teaches a system and method for managing construction projects that provides document repository and workflow subsystems for creating and managing projects and associated project document collections/data sets wherein the project documents (e.g. contracts, purchase orders, change orders, proposals, invoices, bids, requests for proposals, requests for payment, requisitions, submittals, etc.; reference A: Pages ix, 3,6-8, 10-11,16,165,177-179, 198, 229). Thereafter, the Office Action sets forth various references to Primavera Expedition alleging Primavera Expedition teaches features of the claimed invention.

In order to expedite prosecution of the present patent application, claim 68, as well as other claims are amended to further distinguish over the teachings of Primavera Expedition.

The language of claim 68 is set forth in the listing of claims above. In conjunction with the various other features of claim 68, claim 68 is amended to recite further features relating to the documents in the document collection. That is, amended claim 68 recites the features of:

each of the plurality of documents being associated with a respective notebook, each notebook including associated categories, for each notebook the categories including:
a comment category that includes general notes;
a status category that includes a status of the project; and
a published notes category, the method including publishing notes in the published notes category to a team working on the project...

Applicant respectfully submits that Primavera Expedition fails to teach or suggest such features relating to the particulars of the documents in the document collection.

Applicant notes Primavera Expedition at page 63, for example. Therein, Primavera Expedition describes attaching files and URLs to documents. For example, on page 63, Primavera Expedition teaches attaching files such as word processor documents, graphics or spreadsheets to a document. Primavera Expedition further describes that a photograph may be attached to a document. Primavera Expedition describes various ways to view an attachment, including such features as associating file types with attachments.

However, Applicant respectfully submits that Primavera Expedition does not teach the particulars of claim 68. Primavera Expedition does not teach the association between the documents and a respective notebook, and the further features relating to the categories of the notebook.

In addition, claim 68 is hereby amended to recite:

wherein each of the plurality of documents is associated with an object, and the method further including maintaining a state of the object, the state of the object controlling whether documents associated with the object are modifiable.

Support for such feature is found, for example, in the application on page 6, line 22 - page 7, line 16.

Applicant has reviewed the Primavera Expedition document for any teachings of such features. Applicant submits that Primavera Expedition fails to teach or suggest such features, and that such features further distinguish the claimed invention over the applied art.

Applicant respectfully submits that the applied art fails to teach or suggest the features of claim 68 for at least the reasons set forth above. Further, independent claims 98-103 are allowable at least for some of the reasons similar to those discussed above with respect to claim 68.

The various dependent claims recite patentable subject matter at least for their various dependencies on claim 68, as well as for the additional subject matter recited in such dependent claims. Withdrawal of the 35 U.S.C. §102 rejection based on the applied art is respectfully requested.

F. The Rejection Based on the Primavera Art and Schuyler

In the Office Action, claims 88-89, 96 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Primavera Expedition and further in view of Schuyler, U.S. Patent No. 6,632,202. Applicant traverses such rejection.

The Office Action relies on Schuyler to cure asserted deficiencies in the Primavera Art. In particular, the Office Action asserts that Primavera Expedition does not expressly teach that the approver returns the approval to a previous approver who is not the requestor or the approver returns the approval to a previous approver and the requestor as claimed.

Further, for example, the Office Action proposes to otherwise modify the Primavera Art, asserting Primavera Expedition does not expressly teach that the project funding approval is effected by client (business) hierarchy as claimed.

Applicant submits that even if the above modifications were in some way obvious, which it is not admitted, such modifications to the Primavera Art would fail to cure the deficiencies as discussed above.

The applied art fails to fairly teach or suggest the claimed invention under 35 U.S.C. §103. Withdrawal of the rejection is respectfully requested.

G. The Rejection Based on the Primavera Art and DeFrancesco

In the Office Action, claim 92 is rejected under 35 U.S.C. 103(a) as being unpatentable over Primavera Expedition and further in view of DeFrancesco, U.S. Patent No. 6,505,176. Applicant traverses such rejection.

The Office Action asserts that regarding claim 92, while Primavera Expedition teaches tracking the status of a plurality of project documents associated with various contacts/businesses (e.g. tracking submittal status; Page 329) Primavera Expedition does not expressly providing a list of request for assistances associated with a particular business unit as claimed. The Office Action then proposes to cure this deficiency of the Primavera Art with the teachings of DeFrancesco. Specifically, the Office Action asserts it would have been obvious to one skilled in the art at the time of the invention that the system and method for project management as taught by Primavera Expedition would have benefited from providing users a list of the currently active (in process, pending, etc.) requests for assistance associated with a particular business unit (workgroup) in view of the teachings of DeFrancesco.

DeFrancesco is directed to a workflow management system for an automated credit application system. DeFrancesco teaches that workgroup queues contain active or pending steps associated with the workgroup.

However, Applicant submits that even if it were obvious to somehow so modify the teachings of the Primavera Art based on DeFrancesco, which it is not admitted to be obvious, the proposed combination of applied art would still fail to teach or suggest the features as recited in claim 68, and the other independent claims, i.e., so as to cure the deficiencies of the Primavera Art discussed above. Accordingly, it is submitted that DeFrancesco fails to cure the deficiencies of Primavera Expedition as described above so as to teach or suggest the features of the rejected claims.

Withdrawal of the 35 U.S.C. §103 rejection based on the Primavera Art and DeFrancesco is respectfully requested.

H. The Rejection Based on the Primavera Art and Hoyt

In the office action, claims 101 and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Primavera System, Inc.'s Primavera Expedition as disclosed in at least the following Primavera Expedition Version 6.0 User's Guide (1998) in view of Hoyt et al., U.S. Patent No. 6,067,531. This rejection is respectfully traversed.

The Office Action sets forth various asserted teachings of Primavera Expedition. On page 36 of the Office Action, the Office Action asserts Primavera Expedition does not expressly teach identifying an approval hierarchy as claimed. The Office Action then attempts to cure this deficiency with the teachings of Hoyt.

That is, the Office Action asserts that Hoyt teaches approval process is executed by a series of hierarchically arranged approvers/reviewers (Column 7, lines 34-66; Column 8, Lines 1-20: "User_Hierarchy Table", Columns 9-10; Figures 4A-4B) in an analogous art of project management and/or document approval for the purposes of enabling multiple hierarchical levels/classes of users review, revise and approve/accept one or more documents/projects/contracts for approval until all the reviewers are satisfied/accept the document (Column 8, Lines 1-15).

Thereafter, the Office Action asserts that it would have been obvious to one skilled in the art at the time of the invention that the construction project management system and method, with its custom multi-stage/multiple reviewer workflow for managing the submission, receipt, review, approval and payment for completed work, as taught by Primavera Expedition would have benefited from identifying an approval hierarchy in view of the teachings of Hoyt enabling multiple hierarchical levels/classes of users review, revise and approve/accept one or more documents/projects/contracts for approval until all the reviewers are satisfied/accept the document (Hoyt et al.: Column 8, Lines 1-15).

However, Applicant submits that even if it were in some way obvious to modify Primavera Expedition with the teachings of Hoyt relating to utilizing an approval hierarchy, which it is not admitted, such modifications to the Primavera Art would fail to cure the deficiencies of Primavera Expedition as discussed above.

Applicant submits that the applied art fails to fairly teach or suggest the claimed invention under 35 U.S.C. §103. Withdrawal of the rejection is respectfully requested.

I. The Other Grounds of Rejection

Various grounds of rejection are discussed in the comments set forth above. Applicant respectfully submits that the other grounds of rejection under the applied art not specifically addressed above, are obviated by the cancellation of claims. Applicant respectfully submits that all grounds of rejection have been addressed by this response.

J. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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Respectfully submitted,
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